



## Agency Legislative Proposal - 2022 Session

**Document Name:** 2022 Agency Proposal Submission Form\_DMV

(If submitting electronically, please label with date, agency, and title of proposal – 092621\_SDE\_TechRevisions)

**State Agency:** Department of Motor Vehicles

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**Lead agency division requesting this proposal:** Executive

**Agency Analyst/Drafter of Proposal:** Eyvonne Parker-Bair

**Title of Proposal:** AN ACT REVISING MOTOR VEHICLE STATUTES

**Statutory Reference:** Varied

**Proposal Summary:**

Proposal Section	Statute Affected	Summary
1	14-46e	An operator whose license is medically withdrawn, but has submitted favorable medical reports, and is scheduled for an on-the-road skills test, should receive permission to train or practice driving with a licensed driving instructor after approval from the Medical Advisory Board.
2	14-52	Changes made to increase the bond requirements.
3	14-52a	For individuals who seek to obtain a dealer's or repairer's license, this proposal is to change the current statutory language to reflect that the national and state criminal history records checks are to be based on an applicant's fingerprints, as opposed to the applicant's name and date of birth, which is in the current statutory language.
4	14-69	The purpose of this proposal is to: 1) remove language that permits licensees to provide the Department of Motor Vehicles (DMV) with a cash bond; 2) clarify that neither any board of education nor any public, private, or parochial school, is required to provide a surety bond in order to provide driving instruction; 3) prevent a driving school from operating until it comes into compliance with applicable laws if it has not timely completed its renewal.
5	14-73	The purpose of this proposal is to: 1) increase from four years to five years the period of time that the DMV can consider with respect to reviewing an individual's driving history; 2) include language that an applicant must have had a physical examination not more than 90 days from the date of application



		for a master instructor's license, or an instructor's license; 3) address when the DMV has the authority to summarily suspend an instructor's license; and 4) include language that after 60 days of expiration of a master instructor's license, or an instructor's license, an individual must reapply for the applicable license.
6	14-79	Section 14-79 of the Connecticut General Statutes (C.G.S.) gives the Department of Motor Vehicles the authority to impose civil penalties on driving schools that violate any provision of the statutes and regulation pertaining driving schools. The statute, however, is silent on the DMV's authority to seek customer restitution on behalf of individuals who have been aggrieved by drivers' schools; this seeks to change that.
7	14-227b	To enhance operating efficiencies and increase digitization, the Legal Services Division of DMV, Administrative Hearings Unit, seeks authorization to transmit certain administrative hearing-related documents to customers electronically. Currently, as statutorily required, all hearing-related documentation is sent via bulk-certified postal mail. With the customer's consent, this proposal seeks authority to transmit certain hearing-related documents electronically (i.e., hearing decisions).
8	14-270c	So that the Commissioner of Motor Vehicle has discretion to coordinate coverage and hours of operation of the official weighing stations.
9	14-282	To eliminate an obsolete requirement.

## PROPOSAL BACKGROUND

### ◇ Reason for Proposal

*Please consider the following, if applicable: (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Are other states considering something similar this year? (3) Have certain constituencies called for this action? (4) What would happen if this was not enacted in law this session?*

The purpose for this legislation is to clarify, as well as establish, some administrative operating efficiencies.

### × Origin of Proposal

### ☒ New Proposal

### ☐ Resubmission

*If this is a resubmission, please share: (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package? (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal? (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation? (4) What was the last action taken during the past legislative session?*

N/A



## **PROPOSAL IMPACT**

### **× AGENCIES AFFECTED** *(please list for each affected agency)*

**Agency Name:** Department of Emergency Services and Public Protection (DESPP)  
**Agency Contact (name, title, phone):** Versie Jones, Interim CJIS Systems Officer and Auditor, (860) 685-8020  
**Date Contacted:** DMV and DESPP communicated about the proposed changes to section 14-52a between July 2021 and early September 2021.

Approve of Proposal    ☒ **YES**    ☐ **NO**    ☐ **Talks Ongoing**

#### **Summary of Affected Agency's Comments**

The changes proposed for section 14-52a of the Connecticut General Statutes were suggested by the affected agency, to correct issues noted within language added during last year's session; specifically, within Section 20 of Public Act 21-106.

Will there need to be further negotiation?    ☐ **YES**    ☒ **NO**

### **× FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

**Municipal** *(please include any municipal mandate that can be found within legislation)*  
N/A

**State**  
Sec. 7. 14-227b - Potential cost savings; reduction in postage and mail costs, as well as staff time in processing for mail purposes.

**Federal**  
N/A

**Additional notes on fiscal impact**  
[Click here to enter text.](#)

### **× POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

DMV established three categories for its legislative proposal package this year:  
1) Modernization; 2) Equity; and 3) Operating Efficiencies



## × EVIDENCE BASE

*What data will be used to track the impact of this proposal over time, and what measurable outcome do you anticipate? Is that data currently available or must it be developed? Please provide information on the measurement and evaluation plan. Where possible, those plans should include process and outcome components. Pew MacArthur Results First [evidence definitions](#) can help you to establish the evidence-base for your program and their [Clearinghouse](#) allows for easy access to information about the evidence base for a variety of programs.*

Most of the proposals listed in this document are changes to existing statutes, and do not establish new programs, or affect existing ones, in a way that gives rise to measurable, or trackable data, and outcomes. However, DMV will, regarding Section 7 of the proposal (regarding section 14-227b), track the impact of the proposal, by documenting the volume of customer requests received, asking to receive documentation electronically, versus bulk-certified mail. The data will be developed and evaluated, real-time, and on an ongoing basis, as the customer requests are submitted.

## Insert fully drafted bill here

Sec. 1. Section 14-46e of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2022):

(a) The commissioner shall give due consideration to any recommendations of the board and to any reports, records or opinions submitted pursuant to sections 14-46a to 14-46g, inclusive, but such recommendations, reports, records or opinions shall be merely advisory and not binding on the commissioner.

(b) The commissioner may authorize a person whose license is withdrawn under sections 14-46a to 14-46g, inclusive, to operate a motor vehicle on a limited basis provided the following conditions are met: (1) The commissioner, after **[a hearing held in accordance with chapter 54,]** [consultation with the Medical Advisory Board](#), determines that such person does not have a health problem that affects such person's ability to safely operate a motor vehicle and has ordered that such person submit to and pass a road skills test as a condition of license reinstatement; and (2) such operation occurs only while the person is under the instruction of and accompanied by a driving instructor licensed under section 14-73, or is in a vehicle with a motor vehicle testing agent who is administering a road skills test. [A person may contest, after notice and opportunity for a hearing, held in accordance with chapter 54, the decision of the commissioner, to deny such person, the operation of a motor vehicle on a limited basis.](#)

(c) Any person who is the subject of any inquiry under sections 14-46a to 14-46g, inclusive, who refuses to submit to a physical examination or provide other information requested by the commissioner or board shall be considered unfit to operate a motor vehicle until he or she complies with such request.

Sec. 2. Section 14-52 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2022):



(a) No person, firm or corporation may engage in the business of the buying, selling, offering for sale or brokerage of any motor vehicle or the repairing of any motor vehicle without having been issued either a new car dealer's, a used car dealer's, a repairer's or a limited repairer's license. The license fee for each such license, payable to the Commissioner of Motor Vehicles, shall be as follows: (1) New motor vehicle dealer, seven hundred dollars; (2) used motor vehicle dealer, five hundred sixty dollars; and (3) repairer or limited repairer, three hundred forty dollars. Each such license shall be renewed biennially according to renewal schedules established by the commissioner so as to effect staggered renewal of all such licenses. If the adoption of a staggered system results in the expiration of any license more or less than one year from its issuance, the commissioner may charge a prorated amount for such license fee. Not less than forty-five days prior to the date of expiration of each such license, the commissioner shall send or transmit to each licensee, in a manner determined by the commissioner, an application for renewal. Any licensee which has not filed the application for renewal accompanied by the prescribed fee prior to the date of expiration of its license shall cease to engage in business. An application for renewal filed with the commissioner after the date of expiration shall be accompanied by a late fee of one hundred dollars. The commissioner shall not renew any license under this subsection which has expired for more than forty-five days.

(b) (1) Except as provided in subsection (c) of this section, each applicant for a repairer's ~~[or a limited repairer's]~~ license shall furnish a surety bond in the amount of ~~[five]~~ fifty thousand dollars.

(2) Except as provided in subsection (c) of this section, each applicant for [ a repairer's or ] a limited repairer's license shall furnish a surety bond in the amount of [five] ten thousand dollars.

[(2)] (3) Except as provided in subsection (c) of this section, each applicant for a new car dealer's or a used car dealer's license shall furnish a surety bond in the amount of [fifty] sixty thousand dollars.

[(3)] (4) Each applicant for a leasing or rental license issued pursuant to section 14-15, who is engaged in the leasing or renting of motor vehicles for periods of thirty days or more shall furnish a surety bond in the amount of ~~[ten]~~ fifteen thousand dollars.

[(4)] (5) Each such bond required under subdivisions (1) to (3), inclusive, of this subsection shall be conditioned upon the applicant or licensee complying with the provisions of any state or federal law or regulation relating to the conduct of such business and provided as indemnity for any loss sustained by any customer by reason of any acts of the licensee constituting grounds for suspension or revocation of the license or such licensee going out of business. Each surety bond shall be executed in the name of the state of Connecticut for the benefit of any aggrieved customer, but the penalty of the bond shall not be invoked except upon order of the commissioner after a hearing held before said commissioner in accordance with the provisions of chapter 54. For purposes of this subdivision, "customer" does not include (A) any person, firm or corporation that finances a licensed dealer's motor vehicle inventory, or (B) any licensed dealer, in such person's capacity as a dealer, who buys motor vehicles from or sells motor vehicles to another licensed dealer.

[(5)] (6) The commissioner shall assess an administrative fee of two hundred dollars against any licensee for failing to provide proof of bond renewal or replacement on or before the date of the expiration of the existing bond. Such fee shall be in addition to the license suspension or revocation penalties and the civil penalties to which the licensee is subject pursuant to section 14-64.



(c) The commissioner may request information from any applicant for a repairer's license or used car dealer's license concerning the financial status and ability of such applicant to comply with the requirements of this subpart and the regulations adopted thereunder. The commissioner shall review such information to determine if the applicant has sufficient financial resources to conduct the business in a manner consistent with the reasonable security and protection of its customers in regard to the duties and responsibilities imposed by the provisions of this subpart and the regulations adopted thereunder. The commissioner may refuse to issue a license if the applicant fails to provide any such information requested or, if, after review by the commissioner, the commissioner is not satisfied as to such applicant's financial status. The commissioner may, in any case deemed appropriate, grant a license on condition that the applicant post a surety bond, in accordance with the provisions of subsection (b) of this section, in an amount prescribed by the commissioner that is greater than the minimum amount required by the applicable provisions of said subsection (b). Any applicant aggrieved by any decision of the commissioner made pursuant to this subsection shall be afforded an opportunity for hearing in accordance with the provisions of chapter 54. The commissioner may adopt regulations in accordance with chapter 54 to carry out the provisions of this subsection.

(d) Any person, firm or corporation engaging in the business of the buying, selling, offering for sale or brokerage of any motor vehicle or of the repairing of any motor vehicle without a license shall be guilty of a class B misdemeanor.

(e) The Commissioner of Motor Vehicles shall transmit to the Commissioner of Revenue Services and the Commissioner of Energy and Environmental Protection a summary of any complaint that the Commissioner of Motor Vehicles receives alleging that a person, firm or corporation is engaging in the business of the buying, selling, offering for sale or brokerage of any motor vehicle or of the repairing of any motor vehicle without a license.

Sec. 3. Section 14-52a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) The commissioner may, after notice and hearing, refuse to grant or renew a license to a person, firm or corporation to engage in the business of selling or repairing motor vehicles pursuant to the provisions of section 14-52 if the applicant for, or holder of, such a license, or an officer or major stockholder, if the applicant or licensee is a firm or corporation, has been found liable in a civil action for odometer fraud or operating a dealer, repairer or motor vehicle recycler business without a license, convicted of a violation of any provision of laws pertaining to the business of a motor vehicle dealer or repairer, including a motor vehicle recycler, or convicted of any violation of any provision of laws involving fraud, larceny or deprivation or misappropriation of property, in the courts of the United States or any state. Each applicant for such a license shall submit to state and national criminal history records checks, conducted in accordance with section 29-17a and based on the applicant's **[name and date of birth]** [fingerprints](#), not more than thirty days before such application is made and provide the results of such records check to the Department of Motor Vehicles. The commissioner may require a person, firm or corporation to submit its application electronically. Upon renewal of such license, a licensee shall make full disclosure of any such civil judgment or conviction under penalty of false statement.

(b) The commissioner shall not, after notice and hearing, grant or renew a license to an applicant for or the holder of a used car dealer's license that is delinquent in the payment of sales tax in connection with a business from which it is or was obligated to remit sales tax, as reported to the commissioner by the Department of Revenue Services.





Sec. 4. Section 14-69 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2022):

(a) No person shall engage in the business of conducting a drivers' school without being licensed by the Commissioner of Motor Vehicles. An application for a license shall be in writing and shall contain such information as the commissioner requires. Each applicant for a license shall be fingerprinted before such application is approved. The commissioner shall subject each applicant for a license to state and national criminal history records checks conducted in accordance with section 29-17a, and a check of the state child abuse and neglect registry established pursuant to section 17a-101k. If any such applicant has a criminal record, or is listed on the state child abuse and neglect registry, the commissioner shall make a determination of whether to issue a license to conduct a drivers' school in accordance with the standards and procedures set forth in section 14-44 and the regulations adopted pursuant to said section. If the application is approved, the applicant shall be granted a license upon the payment of a fee of seven hundred dollars, and ~~[a deposit with the commissioner of cash or]~~ the submission of a surety bond ~~[of] from~~ a surety company authorized to do business in this state, conditioned ~~[on] upon~~ the faithful performance by the applicant of any contract to furnish instruction, ~~[in either case]~~ in such amount as the commissioner may require[,], ~~[such cash or]~~ Such surety bond ~~[to]~~ shall be held by the commissioner to satisfy any execution issued against such school in a cause arising out of failure of such school to perform such contract. For each additional place of business of such school, the commissioner shall charge a fee of one hundred seventy-six dollars, except if the licensee opens an additional place of business with one year or less remaining on the term of its license, the commissioner shall charge a fee of eighty-eight dollars for each such additional place of business for the year, or any part thereof remaining, on the term of such license. No license or surety bond shall be required in the case of any board of education, or any public, private or parochial school, which conducts a course in driver education established in accordance with sections 14-36e and 14-36f. A license so issued shall be valid for two years. The commissioner shall issue a license certificate, or certificates, to each licensee, one of which shall be displayed in each place of business of the licensee. In case of the loss, mutilation or destruction of a license certificate, the commissioner shall issue a duplicate license certificate to the licensee, upon proof of the facts, and the payment of a fee of twenty dollars.

(b) The biennial fee for the renewal of a license shall be seven hundred dollars and the biennial renewal fee for each additional place of business shall be one hundred seventy-six dollars, except if the licensee opens an additional place of business with one year or less remaining on the term of its license, the commissioner shall charge a fee of eighty-eight dollars for each such additional place of business for the year, or any part thereof, remaining on the term of such license. If the commissioner has not received a complete renewal application, and all applicable renewal fees, on or before the expiration date of an applicant's license, the licensee shall cease to conduct business, until such time its application for renewal is approved by the commissioner. The commissioner shall not renew a drivers' school license that has expired for more than sixty days.

~~[(c)]~~ (d) Any person who engages in the business of conducting a drivers' school without being licensed in accordance with this section shall be guilty of a class B misdemeanor.

Sec. 5. Section 14-73 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2022):

(a) No person shall be employed by any ~~[such] drivers'~~ school, ~~[licensee]~~ to give instruction in driving a motor vehicle, unless such person is licensed to act as an instructor by the commissioner.



(b) Application for a master instructor's license, or an instructor's license, shall be in writing, and shall contain such information as the commissioner requires. Each applicant for a license shall be fingerprinted, and shall furnish evidence satisfactory to the commissioner that such applicant (1) is of good moral character, considering such person's state and national criminal history records checks conducted in accordance with section 29-17a, and record, if any, on the state child abuse and neglect registry established pursuant to section 17a-101k. If any applicant for a license or the renewal of a license has a criminal record, or is listed on the state child abuse and neglect registry, the commissioner shall make a determination of whether to issue or renew an instructor's license, in accordance with the standards and procedures set forth in section 14-44 and the regulations adopted pursuant to said section; (2) has held a license to drive a motor vehicle for at least the past four consecutive years, and has a driving record satisfactory to the commissioner, including no record of a conviction or administrative license suspension for a drug or alcohol-related offense during [such four-year period] the past five years; (3) has [had a recent medical] passed a physical examination, administered not more than ninety days from the date of application, by a physician or an advanced practice registered nurse licensed to practice within the state, and the physician or advanced practice registered nurse certifies that the applicant is physically fit to operate a motor vehicle and [instruct] provide instruction in driving; (4) has received a high school diploma or has an equivalent academic education; and (5) has completed an instructor training course of forty-five clock hours given by a school or agency approved by the commissioner, except that any such course given by an institution under the jurisdiction of the board of trustees of the Connecticut State University System shall be approved by the commissioner and the State Board of Education. During the period of licensure, an instructor shall notify the commissioner, within forty-eight hours, of an arrest or conviction for a misdemeanor or felony, or an arrest, conviction or administrative license suspension for a drug or alcohol-related offense. Upon said notification, the instructor's license may be suspended, revoked, or withdrawn, if the license would be subject to such administration action upon renewal. Unless the commissioner determines that an imminent threat to the public's safety or welfare exists, by reason of an instructor's continued possession of an instructor's license, the instructor shall be provided with the opportunity for a hearing, prior to the effective date of the suspension, revocation or withdrawal of the license. Upon summary suspension of an instructor's license, the instructor shall be provided with the opportunity for a hearing under section 14-79, and such hearing shall be held not later than twenty days after notification of the summary suspension.

(c) The commissioner may deny the application of any person for a master instructor's license, or an instructor's license, if [he] the commissioner determines that the applicant has made a material false statement or concealed a material fact in connection with [his] such application for the instructor's license.

(d) The commissioner shall conduct such written, oral and practical examinations, as [he] the commissioner deems necessary, to determine whether an applicant has sufficient skill in the operation of motor vehicles to ensure their safe operation, a satisfactory knowledge of the motor vehicle laws, and the ability to impart such skill and knowledge to others. If the applicant successfully completes the examinations and meets all other requirements of this section, the commissioner shall issue a master instructor's license, or an instructor's license, whichever is applicable, to such applicant. The license shall be valid for use only in connection with a drivers' school, or schools, licensed pursuant to section 14-69. If the applicant fails the examination, such applicant may apply for reexamination after five days. The license and the license renewal shall be valid for two years.





(e) The licensee shall be reexamined periodically in accordance with standards specified in regulations adopted under section 14-78.

(f) The commissioner may establish, by regulations adopted in accordance with the provisions of chapter 54, standards and procedures for the training and licensing of master instructors who are qualified to train driving instructors. The provisions of subsection (b) of this section, and section 14-74, shall apply to master instructors.

(g) The fee for an instructor's license, or for any renewal thereof, shall be one hundred dollars. The fee for a master instructor's license, or for any renewal thereof, shall be two hundred dollars. If the commissioner has not received a complete renewal application and fee on or before the expiration date of an applicant's license, such applicant shall be charged, in addition to the renewal fee, a late fee in an amount equal to the fee for such applicant's license. The commissioner shall not renew a master instructor's license, or an instructor's license, that has expired for more than sixty days.

(h) Any person who is not licensed in accordance with this section shall be guilty of a class B misdemeanor if such person: (1) Engages in the business of providing, for compensation, instruction in driving a motor vehicle; or (2) is employed by a drivers' school to give instruction in driving a motor vehicle.

Sec. 6. Section 14-79 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

The Commissioner of Motor Vehicles may, after notice and opportunity for a hearing, in accordance with the provisions of chapter 54, suspend or revoke the license or licenses of any licensee, or impose a civil penalty of not more than one thousand dollars, for each violation, on any person or firm that violates any provision of this part. In addition to, or in lieu of, the imposition of any penalty authorized by this section, the commissioner may order any such licensee to make restitution to any aggrieved customer.

Sec. 7. Section 14-227b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Any person who operates a motor vehicle in this state shall be deemed to have given such person's consent to: (1) A chemical test of such person's blood, breath or urine; and (2) a nontestimonial portion of a drug influence evaluation conducted by a drug recognition expert. If such person is a minor, such person's parent or parents or guardian shall also be deemed to have given their consent for such test or evaluation. As used in this section, "motor vehicle" includes a snowmobile and all-terrain vehicle, as such terms are defined in Section 14-379.

(b) (1) A police officer who has placed a person under arrest for a violation of section 14-227a, 14-227m or subdivision (1) or (2) of subsection (a) of section 14-227n may request that such person submit to a blood, breath or urine test at the option of the police officer, a drug influence evaluation conducted by a drug recognition expert, or both, after such person has been (A) apprised of such person's constitutional rights; (B) afforded a reasonable opportunity to telephone an attorney prior to the performance of such test or evaluation; (C) informed that evidence of any refusal to submit to such test or evaluation shall be admissible in accordance with subsection (e) of section 14-227a and may be used against such person in any criminal prosecution, except that refusal to submit to the testimonial



portion of a drug influence evaluation shall not be considered evidence of refusal of such evaluation for purposes of any criminal prosecution; and (D) informed that such person's license or operating privilege may be suspended in accordance with the provisions of this section if (i) such person refuses to submit to such test or the nontestimonial portion of a drug influence evaluation, (ii) such person submits to such test and the results of such test indicate that such person has an elevated blood alcohol content, or (iii) the officer concludes, through investigation, that such person was operating a motor vehicle under the influence of intoxicating liquor or any drug, or both.

(2) If the person refuses to submit to any test or drug influence evaluation, the test or evaluation shall not be given, except if the person refuses or is unable to submit to a blood test, the police officer shall designate another test to be taken. If a person submits to a breath test and the police officer, for reasonable cause, requests an additional chemical test of a different type to detect the presence of a drug or drugs other than or in addition to alcohol, the officer may administer such test, except that if such person refuses or is unable to submit to a blood test, the officer shall designate a urine test to be taken. The police officer shall make a notation upon the records of the law enforcement unit, as defined in section 7-294a, that such officer informed the person that such person's license or operating privilege may be suspended if (A) such person refused to submit to such test or nontestimonial portion of a drug influence evaluation; (B) such person submitted to such test and the results of such test indicated that such person had an elevated blood alcohol content; or (C) the officer concludes, through investigation, that such person was operating a motor vehicle under the influence of intoxicating liquor or any drug, or both.

(c) If the person arrested refuses to submit to such test or nontestimonial portion of a drug influence evaluation or submits to such test, commenced within two hours of the time of operation, and the results of such test indicate that such person has an elevated blood alcohol content, the police officer, acting on behalf of the Commissioner of Motor Vehicles, shall immediately revoke and take possession of the motor vehicle operator's license or if such person is not licensed or is a nonresident, suspend the operating privilege of such person, for a twenty four-hour period. The police officer shall prepare a report of the incident and shall mail or otherwise transmit in accordance with this subsection the report and a copy of the results of any chemical test to the Department of Motor Vehicles within three business days. The report shall contain such information as prescribed by the Commissioner of Motor Vehicles and shall be subscribed and sworn to under penalty of false statement as provided in section 53a-157b by the arresting officer. If the person arrested refused to submit to such test or evaluation, the report shall be endorsed by a third person who witnessed such refusal. The report shall set forth the grounds for the officer's belief that there was probable cause to arrest such person for a violation of section 14-227a or 14-227m or subdivision (1) or (2) of subsection (a) of section 14-227n and shall state that such person had refused to submit to such test or evaluation when requested by such police officer to do so or that such person submitted to such test, commenced within two hours of the time of operation and the results of such test indicated that such person had an elevated blood alcohol content. The Commissioner of Motor Vehicles may accept a police report under this subsection that is prepared and transmitted as an electronic record, including electronic signature or signatures, subject to such security procedures as the commissioner may specify and in accordance with the provisions of section 1-266 to 1-286, inclusive. In any hearing conducted pursuant to the provisions of subsection (g) of this section, it shall not be a ground for objection to the admissibility for a police report that it is an electronic record prepared by electronic means.

(d) If a police officer who has placed a person under arrest for a violation of section 14-227a or 14-227m or subdivision (1) or (2) of subsection (a) of section 14-227n does not request that such person



submit to a blood, breath or urine test under subsection (b) of this section, or obtains results from a test administered under subsection (b) of this section that indicate that the person does not have an elevated blood alcohol content, such officer shall:

(1) Advise such person that such person's license or operating privilege may be suspended in accordance with the provisions of this section if such police officer concludes, through investigation, that such person was operating a motor vehicle under the influence of intoxicating liquor or any drug, or both; and

(2) Submit a report to the commissioner in accordance with the procedure set forth in subsection (c) of this section and, if such report contains the results of a blood, breath or urine test that does not show an elevated blood alcohol content, such report shall conform to the requirements in subsection (c) of this section for reports that contain results showing an elevated blood alcohol content. In any report submitted under this subdivision, the officer shall document (A) the basis for the officer's belief that there was probable cause to arrest such person for a violation of section 14-227a or 14-227m or subdivision (1) or (2) of subsection (a) of section 14-227n, and (B) whether the officer concluded, through investigation, that the person was operating a motor vehicle under the influence of intoxicating liquor or any drug, or both. With such report, the officer may submit other supporting documentation indicating the person's intoxication by liquor or any drug, or both. If the officer concludes, through investigation, that the person was operating a motor vehicle under the influence of intoxicating liquor or any drug, or both, the officer shall immediately revoke and take possession of the motor vehicle operator's license or, if such person is not licensed or is a nonresident, suspend the operating privilege of such person for a twenty-four-hour period.

(e) (1) Except as provided in subdivision (2) of this subsection, upon receipt of a report submitted under subsection (c) or (d) of this section, the commissioner may suspend any operator's license or operating privilege of such person effective as of a date certain, which date certain shall be not later than thirty days from the later of the date such person received (A) notice of such person's arrest by the police officer, or (B) the results of a blood or urine test or a drug influence evaluation. Any person whose operator's license or operating privilege has been suspended in accordance with this subdivision shall automatically be entitled to a hearing before the commissioner to be held in accordance with the provisions of chapter 54 and prior to the effective date of the suspension. The commissioner shall send a suspension notice to such person informing such person that such person's operator's license or operating privilege is suspended as of a date certain and that such person is entitled to a hearing prior to the effective date of the suspension and may schedule such hearing by contacting the Department of Motor Vehicles not later than seven days after the date of mailing of such suspension notice.

(2) Upon receipt of a report that (A) the person's arrest involved an accident resulting in a fatality, or (B) the person has previously had such person's operator license or operating privilege suspended under the provisions of section 14-227a, 14-227m or 14-227n during the ten-year period preceding the present arrest, the commissioner may suspend any operator's license or operating privilege of such person effective as of the date specified in a notice of such suspension to such person. A person whose operator's license or operating privilege has been suspended in accordance with this subdivision shall automatically be entitled to a hearing before the commissioner, to be held in accordance with the provisions of chapter 54. The commissioner shall send a suspension notice to such person informing such person that such person's operator's license or operating privilege is suspended as of the date specified in such suspension notice, and that such person is entitled to a hearing and may schedule such hearing by contacting the Department of Motor Vehicles not later than seven days after the date



of mailing of such suspension notice. Any suspension issued under this subdivision shall remain in effect until such suspension is affirmed under subsection (f) of this section or such operator's license or operating privilege is reinstated in accordance with subsection (h) of this section.

(f) If such person does not contact the department to schedule a hearing, the commissioner shall affirm the suspension contained in the suspension notice for the appropriate period specified in subsection (i) of this section.

(g) (1) If such person contacts the department to schedule a hearing, the department shall assign a date, time and place for the hearing, which date shall be prior to the effective date of the suspension, except that, with respect to a person whose operator's license or operating privilege is suspended in accordance with subdivision (2) of subsection (e) of this section, such hearing shall be scheduled not later than thirty days after such person contacts the department. At the request of such person, the hearing officer or the department and upon a showing of good cause, the commissioner may grant one or more continuances.

(2) A hearing based on a report submitted under subsection (c) of this section shall be limited to a determination of the following issues: (A) Did the police officer have probable cause to arrest the person for operating a motor vehicle while under the influence of intoxicating liquor or any drug, or both; (B) was such person placed under arrest; (C) did such person (i) refuse to submit to such test or nontestimonial portion of a drug influence evaluation, or (ii) submit to such test, commenced within two hours of the time of operation, and the results of such test indicated that such person had an elevated blood alcohol content; and (D) was such person operating the motor vehicle.

(3) A hearing based on a report submitted under subsection (d) of this section shall be limited to a determination of the following issues: (A) Did the police officer have probable cause to arrest the person for operating a motor vehicle while under the influence of intoxicating liquor or any drug, or both; (B) was such person placed under arrest; (C) was such person operating a motor vehicle under the influence of intoxicating liquor or any drug, or both; and (D) was such person operating the motor vehicle.

(4) In a hearing under this subsection, the results of the test, if administered, shall be sufficient to indicate the ratio of alcohol in the blood of such person at the time of operation, provided such test was commenced within two hours of the time of operation. The fees of any witness summoned to appear at a hearing under this subsection shall be the same as provided by the general statutes for witnesses in criminal cases. Notwithstanding the provisions of subsection (a) of section 52-143, any subpoena summoning a police officer as a witness shall be served not less than seventy-two hours prior to the designated time of the hearing.

(5) In a hearing based on a report submitted under subsection (d) of this section, evidence of operation under the influence of intoxicating liquor or any drug, or both shall be admissible. Such evidence may include, but need not be limited to, (A) the police officer's observations of intoxication, as documented in a report submitted to the commissioner under subsection (d) of this section; (B) the results of any chemical test administered under this section or a toxicology report certified by the Division of Scientific Services within the Department of Emergency Services and Public Protection; (C) hospital or medical records obtained in accordance with subsection (j) of this section or by the consent of the operator; (D) the results of any tests conducted by, or the report of, an officer trained in advanced roadside impaired driving enforcement; or (E) reports of drug recognition experts.

(h) If, after a hearing under subdivision (2) of subsection (g) of this section, the commissioner finds in the negative on one of the issues specified in subparagraph (A), (B), (C), or (D) of said subdivision,



the commissioner shall reinstate such license or operating privilege. If, after such hearing under subdivision (3) of subsection (C) or (D) of said subdivision, the commissioner shall reinstate such license or operating privilege. If, after such hearing under subdivision (2) or (3) of subsection (g) of this section, the commissioner does not find on any one of said issues in the negative or if such person fails to appear at such hearing, the commissioner shall affirm the suspension contained in the suspension notice for the appropriate period specified in subsection (i) of this section. The commissioner shall render a decision at the conclusion of such hearing and send a notice of the decision by bulk certified mail [or by personal delivery as defined in section 4-166](#) to such person. The notice of such decision sent by bulk certified mail to the address of such person as shown by the record of the commissioner [or by personal delivery](#) shall be sufficient notice to such person that such person's operator license or operating privilege is reinstated or suspended, as the case may be. [A notice of decision shall only be transmitted by personal delivery if the operator has consented in writing, to such personal delivery.](#)

(i) (1) The commissioner shall suspend the operator's license or operating privilege of a person who did not contact the department to schedule a hearing, who failed to appear at a hearing, or against whom a decision was issued, after a hearing, pursuant to subsection (h) of this section, as of the effective date contained in the suspension notice, for a period of forty-five days. As a condition for the restoration of such operator's license or operating privilege, such person shall be required to install an ignition interlock device on each motor vehicle owned or operated by such person and, upon such restoration, be prohibited from operating a motor vehicle unless such motor vehicle is equipped with a functioning, approved ignition interlock device, as defined in [section 14-227j](#), for the longer of either (A) the period prescribed in subdivision (2) of this subsection for the present arrest and suspension, or (B) the period prescribed in subdivision (1), (2) or (3) of subsection (g) of [section 14-227a](#) or subdivision (1), (2) or (3) of subsection (c) of [section 14-227m](#) or subdivision (1) or (2) of subsection (c) of [section 14-227n](#) for the present arrest and conviction, if any.

(2) (A) A person twenty-one years of age or older at the time of the arrest who submitted to a test and the results of such test indicated that such person had an elevated blood alcohol content, or was found to have been operating a motor vehicle under the influence of intoxicating liquor or any drug, or both based on a report filed pursuant to subsection (d) of this section, shall install and maintain an ignition interlock device for the following periods: (i) For a first suspension under this section, six months; (ii) for a second suspension under this section, one year; and (iii) for a third or subsequent suspension under this section, two years; (B) a person under twenty-one years of age at the time of the arrest who submitted to a test and the results of such test indicated that such person had an elevated blood alcohol content, or was found to have been operating a motor vehicle under the influence of intoxicating liquor or any drug, or both based on a report filed pursuant to subsection (d) of this section, shall install and maintain an ignition interlock device for the following periods: (i) For a first suspension under this section, one year; (ii) for a second suspension under this section, two years; and (iii) for a third or subsequent suspension under this section, three years; and (C) a person, regardless of age, who refused to submit to a test or nontestimonial portion of a drug influence evaluation shall install and maintain an ignition interlock device for the following periods: (i) For a first suspension under this section, one year; (ii) for a second suspension under this section, two years; and (iii) for a third or subsequent suspension, under this section, three years.

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, a person whose motor vehicle operator's license or operating privilege has been permanently revoked upon a third offense pursuant to subsection (g) of [section 14-227a](#) or subsection (c) of [section 14-227m](#) shall be subject to the penalties prescribed in subdivision (2) of subsection (i) of [section 14-111](#).



(j) Notwithstanding the provisions of subsections (b) to (i), inclusive, of this section, any police officer who obtains the results of a test of a blood sample taken from or a urine sample provided by an operator of a motor vehicle who was involved in an accident and suffered or allegedly suffered physical injury in such accident, or who was otherwise deemed by a police officer to require treatment or observation at a hospital, shall notify the commissioner and submit to the commissioner a written report if such results indicate that such person had an elevated blood alcohol content, or any quantity of an intoxicating liquor or any drug, or both, in such person's blood, and if such person was arrested for violation of section 14-227a or 14-227m or subdivision (1) or (2) of subsection (a) of section 14-227n. The report shall be made on a form approved by the commissioner containing such information as the commissioner prescribes, and shall be subscribed and sworn to under penalty of false statement, as provided in section 53a-157b, by the police officer. The commissioner may, after notice and an opportunity for hearing, which shall be conducted by a hearing officer on behalf of the commissioner in accordance with chapter 54, suspend the motor vehicle operator's license or operating privilege of such person for the appropriate period of time specified in subsection (i) of this section and require such person to install and maintain an ignition interlock device for the appropriate period of time prescribed in subsection (i) of this section. Each hearing conducted under this subsection shall be limited to a determination of the following issues: (1) Whether the police officer had probable cause to arrest the person for operating a motor vehicle while under the influence of intoxicating liquor or drug, or both; (2) whether such person was placed under arrest; (3) whether such person was operating the motor vehicle; (4) whether (A) the results of the analysis of the blood or urine of such person indicate that such person had an elevated blood alcohol content, or (B) the person was operating a motor vehicle under the influence of intoxicating liquor or any drug, or both; and (5) in the event that a blood sample was taken, whether the blood sample was obtained in accordance with conditions for admissibility and competence as evidence as set forth in subsection (k) of section 14-227a. If, after such hearing, the commissioner finds on any one of the said issues in the negative, the commissioner shall not impose a suspension. The fees of any witness summoned to appear at the hearing shall be the same as provided by the general statutes for witnesses in criminal cases, as provided in section 52-260.

(k) The provisions of this section shall apply with the same effect to the refusal by any person to submit to an additional chemical test as provided in subparagraph (E) of subdivision (1) of subsection (b) of section 14-227a.

(l) The provisions of this section shall not apply to any person whose physical condition is such that, according to competent medical advice, such test would be inadvisable.

(m) The state shall pay the reasonable charges of any physician who, at the request of a law enforcement unit, as defined in section 7-294a, takes a blood sample for purposes of a test under the provisions of this section.

(n) For the purposes of this section, "elevated blood alcohol content" means (1) a ratio of alcohol in the blood of such person that is eight-hundredths of one per cent or more of alcohol, by weight, (2) if such person is operating a commercial motor vehicle, a ratio of alcohol in the blood of such person that is four-hundredths of one per cent or more of alcohol, by weight, or (3) if such person is less than twenty-one years of age, a ratio of alcohol in the blood of such person that is two-hundredths of one per cent or more of alcohol, by weight.

(o) The Commissioner of Motor Vehicles shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

*(Effective April 1, 2022)*

Sec. 8. Section 14-270c of the general statutes is repealed and the following is substituted in lieu thereof *(Effective July 1, 2022)*:





(a) The Commissioner of Motor Vehicles **[shall]** **may** staff[, ] and **may** coordinate coverage and hours of operation at the Commissioner's discretion, of[, ] the official weighing areas described in sections (1), (2) and (3) below, as follows:

(1) Greenwich: Eight work shifts in each seven-day period from Sunday through Saturday. No such shifts shall be worked consecutively, except that two shifts may be worked consecutively on not more than three days;

(2) Danbury: The Department of Motor Vehicles **[shall]** **may** staff six work shifts in each seven-day period from Sunday through Saturday. The Commissioner of Motor Vehicles **[shall]** **may**, whenever possible, coordinate coverage between this official weighing area and the official weighing area in Greenwich in order to ensure concurrent coverage;

(3) Union: Between five and eight work shifts in each seven-day period from Sunday through Saturday; and

(4) Portable scale locations: The Commissioner of Emergency Services and Public Protection shall assign troopers to work ten shifts in each seven-day period from Sunday through Saturday to conduct commercial motor vehicle enforcement throughout the four geographical areas established by the Commissioner of Motor Vehicles with concentration in areas that have fewer hours of operation for the permanent weighing areas.

(b) The Commissioner of Motor Vehicles **[shall]** **may** adjust the work shifts required in subsection (a) of this section on a daily basis in order to effectuate an unpredictable schedule.

(c) The Commissioner of Motor Vehicles **[shall]** **may** assign personnel to the permanent weighing areas in Waterford and Middletown or to the portable scale operations.

(d) The Commissioner of Emergency Services and Public Protection, in consultation with the Commissioner of Motor Vehicles, shall assign one trooper to each weighing area working shift in each seven-day period from Sunday through Saturday to enforce laws relative to the safe movement of all vehicles on the highways of the state.

(e) In addition to the weighing area commercial motor vehicle enforcement activities, the Department of Emergency Services and Public Protection shall perform roaming commercial motor vehicle enforcement on the highways of the state and such work shall be assigned to troopers trained in commercial motor vehicle enforcement.

Sec. 9. Section 14-282 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

(a) Any person who is the owner or becomes the owner of a motor vehicle formerly used as a school bus who discontinues the use of such vehicle for the transportation of school children as stated in sections 14-275 and 14-280, shall cause the same to be painted another color, readily distinguishable from "National School Bus Chrome". **[On and after July 1, 1990, each such motor vehicle ten years old or older shall be presented for inspection every two years at any Department of Motor Vehicles office.]**

(b) Violation of any provision of this section shall be an infraction.